



General Assembly

January Session, 2001

Amendment

LCO No. 6967

Offered by:

REP. WARD, 86th Dist.

To: Subst. House Bill No. 5923

File No. 487

Cal. No. 38

"AN ACT CONCERNING STATE PURCHASES OF GOODS AND SERVICES AND COOPERATIVE PURCHASING FOR MUNICIPALITIES AND NONPROFIT INDEPENDENT HIGHER EDUCATION INSTITUTIONS."

1 After line 230, insert the following and renumber the remaining
2 sections accordingly:

3 "Sec. 6. Subsection (b) of section 46a-56 of the general statutes is
4 repealed and the following is substituted in lieu thereof:

5 (b) The commission may, when it is deemed in the best interests of
6 the state, exempt a contractor from the requirements of complying
7 with any or all of the provisions of section 4a-60, 4a-60a, 46a-68c, 46a-
8 68d or 46a-68e in any specific contract. Exemptions under the
9 provisions of this section may include, but not be limited to, the
10 following instances: (1) If the work is to be or has been performed
11 outside the state and no recruitment of workers within the limits of the
12 state is involved; (2) those involving less than specified amounts of
13 money or specified numbers of workers; (3) to the extent that they

14 involve subcontracts below a specified tier. The commission may also
15 exempt facilities of a contractor which are in all respects separate and
16 distinct from activities of the contractor related to the performance of
17 the contract, provided such an exemption shall not interfere with or
18 impede the effectuation of the purposes of this section and sections 4a-
19 60, 4a-60a, 4a-60g, [4a-62] and 46a-68b to 46a-68k, inclusive.

20 Sec. 7. Section 46a-68b of the general statutes is repealed and the
21 following is substituted in lieu thereof:

22 As used in this section and sections 4a-60, 4a-60a, 4a-60g, [4a-62,]
23 46a-56 and 46a-68c to 46a-68k, inclusive: "Public works contract" means
24 any agreement between any individual, firm or corporation and the
25 state or any political subdivision of the state other than a municipality
26 for construction, rehabilitation, conversion, extension, demolition or
27 repair of a public building, highway or other changes or improvements
28 in real property, or which is financed in whole or in part by the state,
29 including, but not limited to, matching expenditures, grants, loans,
30 insurance or guarantees.

31 Sec. 8. Section 46a-68c of the general statutes is repealed and the
32 following is substituted in lieu thereof:

33 In addition to the provisions of section 4a-60, each contractor with
34 fifty or more employees awarded a public works contract in excess of
35 fifty thousand dollars in any fiscal year, but not subject to the
36 provisions of section 46a-68d, shall develop and file with the
37 commission an affirmative action plan which shall comply with
38 regulations adopted by said commission. Failure to develop an
39 approved affirmative action plan pursuant to this section shall act as a
40 bar to bidding on or the award of future contracts until such
41 requirement has been met. When the commission approves an
42 affirmative action plan pursuant to this section, it shall issue a
43 certificate of compliance to the contractor. This certificate shall be
44 prima facie proof of the contractor's eligibility to bid or be awarded
45 contracts for a period of two years from the date of the certificate. Such

46 certificate shall not excuse the contractor from monitoring by the
47 commission or from the reporting and record-keeping requirements of
48 sections 46a-68e and 46a-68f. The commission may revoke the
49 certificate of a contractor if the contractor does not implement its
50 affirmative action plan in compliance with this section and sections 4a-
51 60, 4a-60g, [4a-62,] 46a-56, 46a-68b, 46a-68d, and 46a-68e to 46a-68k,
52 inclusive."

53 In line 231, before "and" insert ", 4a-62"